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OFFICE OF THE DEPUTY DIRECTOR

8 December 1980

NOTE FOR:   
THROUGH :   
FROM :  SA/DDCI

asked the DCI for  
these.

Attachments:  
Paper on PFIAB  
Paper on FISA

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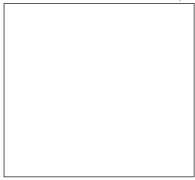
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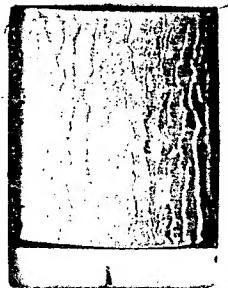
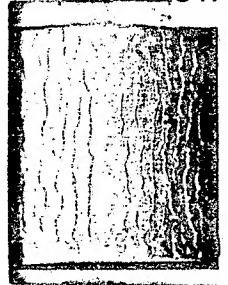
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Some background  
on PFIAB -  
Skr

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5 December 1980

MEMORANDUM FOR: Admiral Turner

SUBJECT : President's Foreign Intelligence Advisory Board  
(PFIAB)

1. Per your request for information on the past composition of PFIAB and how it may have been perceived by former Directors, a hurried look at the file and recollections yield the following:

a. Organization and Composition: The Board was established in 1956 during DCI Dulles' tenure and abolished in May 1977. Its composition was as indicated in the attached roster.

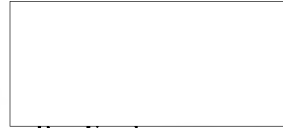
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2. The above is hurried and not thoroughly researched. If more is needed I have requested the files and could undoubtedly think of a number of people who might have a better appreciation of the topic.



B. C. Evans  
Executive Secretary

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Attachment

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March 1977

President's Foreign Intelligence Advisory Board (PFIAB)

Abolished 5 May 1977

Present Membership and Date of Appointment

|   |                                     |
|---|-------------------------------------|
| Mr. Leo Cherne (28 Jun 73)              | Dr. John S. Foster, Jr. (28 Jun 73) |
| Appointed Chairman: 11 Mar 76           | Mr. Robert W. Galvin (28 Jun 73)    |
| Mr. Stephen Ailes (11 Mar 76)           | Mr. Gordon Gray (16 May 61)         |
| Adm. George W. Anderson, Jr., USN       | Dr. Edwin H. Land (4 May 61)        |
| (Ret.) (20 Mar 69)                      | Gen. Lyman L. Lemnitzer, USA (Ret.) |
| Mr. Leslie C. Arends (11 Mar 76)        | (11 Mar 76)                         |
| Dr. William O. Baker (24 Dec 59)        | Mrs. Clare Boothe Luce (28 Jun 73)  |
| Mr. William J. Casey (11 Mar 76)        | Amb. Robert D. Murphy (5/61-6/73)   |
| Gov. John B. Connally (12/70-1/71)      | (11 Mar 76)                         |
| (8/72-1/75) (11 Mar 76)                 | Dr. Edward Teller (22 July 71)      |
| Mr. Edward Bennett Williams (11 Mar 76) |                                     |

Lionel H. Olmer, Acting Executive Secretary (1 Mar 77)

Former Members and Dates of Service

|   |  |
|---|--|
| Amb. David K.E. Bruce (8/56-3/57)         | Dr. William L. Langer (5/61-3/69)          |
| Mr. Clark M. Clifford (5/61-2/68)         | Mr. Franklin B. Lincoln, Jr. (3/69-6/73)   |
| Adm. Richard L. Conolly, USN (Ret.)       | Mr. Robert A. Lovett (1/56-1/61)           |
| (1/56-1/61)                               | Dr. Franklin D. Murphy (3/69-6/73)         |
| Gov. Colgate W. Darden, Jr. (7/57-1/61)   | Mr. Frank Pace, Jr. (7/61-6/73)            |
| Lt. Gen. James H. Doolittle, USAF (Ret.)  | Gov. Nelson A. Rockefeller (3/69-12/74)    |
| (1/56-8/64)                               | Mr. Edward L. Ryerson (1/56-1/61)          |
| Mr. Benjamin F. Fairless (1/56-1/60)      | Adm. John H. Sides, USN (Ret.) (8/65-3/69) |
| Gen. John E. Hull, USA (Ret.) (1/56-1/61) | Dr. George P. Shultz (6/74-3/76)           |
| Amb. Joseph P. Kennedy (1/56-7/56)        | Gen. Maxwell D. Taylor, USA (Ret.)         |
| Dr. James R. Killian, Jr. (1/56-1/60)     | (5/61-6/61) (8/65-4/70)                    |
| (5/61-4/63)                               |  |

Former Chairmen

Dr. James R. Killian, Jr. (1/56-2/58) (5/61-4/63)  
 General John E. Hull, USA (Ret.) (2/58-1/61)  
 Mr. Clark M. Clifford (4/63-2/68)  
 General Maxwell D. Taylor, USA (Ret.) (3/68-4/70)  
 Admiral George W. Anderson, Jr., USN (Ret.) (5/70-3/76)

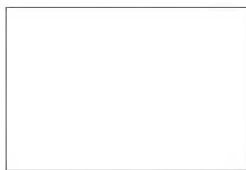
Former Executive Secretaries

Brig. Gen. John F. Cassidy, USA (Ret.) (1/56-4/59)  
 Mr. J. Patrick Coyne (4/59-9/70)  
 Mr. Gerard P. Burke (9/70-6/73)  
 Mr. Wheaton B. Byers (6/73-2/77)

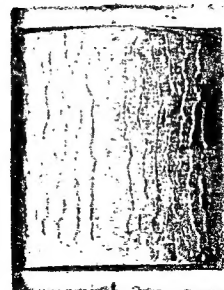
N. B. PFIAB originally established in 1956 as the President's Board of Consultants on Foreign Intelligence Activities; name changed in 1961.

Washington, D. C. 20505

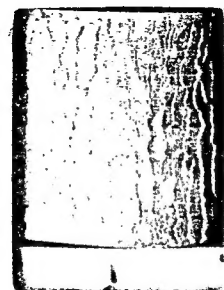
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Here's our view  
of FISA - per  
our discussion Thursday.  
Spn



Benefits Derived From The  
Foreign Intelligence Surveillance Act of 1978

Implementation of the Foreign Intelligence Surveillance Act of 1978 (FISA) through establishment of the United States Foreign Intelligence Surveillance Court in May 1979 has produced major legal, procedural and security benefits to the U.S. foreign intelligence and counterintelligence efforts because of statutory authority provided for electronic surveillance operations undertaken within the United States. Examples of these benefits are:

- Prior to the FISA, Attorneys General were reluctant to approve warrantless surveillance except in the most compelling cases. The existence of statutory procedures culminating in the issuance of a court order approving and authorizing each electronic surveillance operation has enabled the Intelligence Community to expand these surveillances for foreign intelligence and counterintelligence collection to approximately double the number of surveillance operations undertaken under previously existing procedures. The volume and value of intelligence collected by this extremely cost-effective means has increased proportionately.
- Communications common carriers are required under authority of law to furnish necessary information, facilities and technical assistance to accomplish the authorized electronic surveillances. This provision is a major advantage inasmuch as the common carriers, prior to implementation of the FISA and lacking the statutory protection provided thereby, were not cooperative in furnishing this assistance. The problem of non-cooperation resulted in a degradation of approximately fifty percent in carrying out surveillance operations previously authorized by the Attorney General. This problem has now been overcome due to the statutory protection provided.
- Existence of FISA and its provisions reduce substantially the vulnerability of Intelligence Community personnel to civil and criminal liability in the application for and conduct of electronic surveillance operations within the United States.



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- The FISA process and, in particular, the Foreign Intelligence Surveillance Court operate in a secure environment. In accordance with the statute, security measures for the court were established by the Chief Justice with the concurrence of the Attorney General in consultation with the Director of Central Intelligence. These provisions resulted in the designation of a court security officer from the Executive Branch, and the physical location of the court and its files within secure spaces in the Department of Justice building. All court proceedings are conducted in this secure environment, and there have been no security problems.
- Conduct of electronic surveillance operations under FISA authority has served to remove this subject from controversy. In this regard, it may be politically unwise to suggest the removal of FISA restraints through repeal of the Act. Such action would almost certainly be subject to misinterpretation.
- Many of the problems encountered under FISA have been primarily with the Department of Justice and the Attorney General's staff. If FISA were to be repealed with a return to Attorney General approval of electronic surveillances, these staffing problems would continue to exist and would likely be multiplied.
- The Intelligence Community experience with FISA has been generally good, although certain problems have been experienced as a result of the targeting provisions of the Act. These problems are more amenable to remedy by amending the act than by repeal.

In summary, the FISA and the special court have been of major benefit to the foreign intelligence and counterintelligence communities; retention of the Act and the court is clearly in the best interests of the Intelligence Community and its effectiveness in the national security area.